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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,882	10/22/2003	Charles B. Chapman	100201643-1	6450
22879	7590	10/08/2004	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			PERKEY, WILLIAM B	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/690,882

**Applicant(s)**

CHAPMAN ET AL.

**Examiner**

William B. Perkey

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-37 is/are allowed.
- 6) ☒ Claim(s) 1-3, 7, 8, 12 and 13 is/are rejected.
- 7) ☒ Claim(s) 4-6, 9-11, 14 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/22/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,2,3,7,8,12,13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawazoe (U.S. Patent No. 4,648,697) in view of Telfer (U.S. Patent No. 4,030,114).

In Fig. 3 Kawazoe shows a support apparatus for a camera and a strobe light. The pan head 14 includes a mounting plate to attach the camera. The support device includes a plurality of legs 2. Numerals 4, 6 and 8 point to means for attaching a strobe device to a leg of the tripod. Thus, Kawazoe shows the claimed invention except for a plurality of strobe lights. Telfer shows a device in Fig. 1 that can be mounted to a tripod. A plurality of strobe lights are attached to arms 15 that connect to the mounting platform 14. It would have been obvious to one of ordinary skill in the art, at the time of applicant's invention, to attach any desired number of strobe light units to any one of the legs of the tripod of Kawazoe in order to obtain a desired lighting of the object. The claim 2 limitations have been considered, but given no patentable weight. The only claimed structure is to the support apparatus with a set of strobe lights attached to the legs. This structure is not capable of performing the claimed image processing operations of claim 2. An apparatus claim must differ from the prior art by reason of claimed structural differences to be patentable, not intended processing operations intended to be performed by a computer that is not even claimed nor even within the body of the camera.

***Allowable Subject Matter***

3. Claim 16-37 are allowed.
4. Claims 4-6, 9-11, 14 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Reasons for Allowance***

5. The primary reason for indication of allowability of dependent claims 4-6 are the claimed configurations of the mounting plate in combination with the set of legs having a set of strobes attached thereto. The primary reason for indication of allowability of dependent claims 9 and 10 is the claimed arrangement of the screens. The primary reason for indication of allowability of claims 11 and 28-31 and 36 is the limitation to sequentially fire the set of strobe lights. The primary reason for indication of allowability of claim 14 is the claim limitation for detents. The primary reason for indication of allowability of claim 15 is the claim limitation that the strobe lights are affixable along the axis of a bar wherein at least one point of the bar is attached to at least one leg. The primary reason for allowability of claims 16-27 is the claim limitation for a self-propelled linear strobe light coupled to each leg of the support apparatus. The primary reason for allowability of claims 32-35 and 37 is the claimed method automatically moving a strobe to a first position, firing it to obtain a photographic image and automatically moving it to a second position.

***Drawings***

6. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the selection of the image processing

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operations that includes polynomial texture mapping and shape from shading of claims 2, 17,28; the mounting plate configured to receive a camera mounted on the mounting plate bottom surface of claim 5; the fact that the mounting plate is made of optically clear material of claim 6; the rolling out of the screen from the legs as set forth in claims 10,22; the detents in the legs of claim 14; the bars attached to the legs and having affixable strobe lights; the reading of position information on the leg of claim 25; the Gray code, bar code, and mechanical detents of claim 27; all must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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### Telephone Numbers

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William B. Perkey whose telephone number is (571) 272-2126. The examiner can normally be reached on Monday-Thursday 7:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William B. Perkey  
Primary Examiner  
Art Unit 2851

WBP:wbp